

REMARKS

Claims 1 through 7 were rejected as obvious based upon the combination of the Larsson '071 and Johnson '722 references. With regard to the Larsson reference, it was admitted in the Office Action that the invention as claimed is different from the system disclosed in that reference (see Action, page 2, lines 4-11). And although it was suggested that that reference discloses more than one computer system, it is significant to note that in that respect the reference only contains a limited teaching in that it refers only to one or more computers that are each connected to one or more databases, wherein one database contains data program transactions and the other database contains codes that are stored with subscriber numbers (see Larsson, page 2, lines 17-19). That reference contains no mention of transaction references that are utilized to fetch particular transactions to be executed by the system to provide the communications service based upon the identity of the caller and the type of call received, and wherein only the transaction references are transferred, not the transactions themselves.

It was suggested in the last paragraph on page 3 of the Action that the present application does not teach certain steps. In that regard, "connecting the first and the second computer system to respective communications databases that include communications services transactions stored as transaction references" is disclosed in the present application in paragraph [0009]. And "wherein said computer systems execute communications services in accordance with a data program composed of one or more transactions" is disclosed in the present application in paragraph [0010].

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The present invention is clearly different from the Larsson reference in that it is directed to a method for distributing to different computer systems the execution of particular computer-based transaction steps, in order to enable a greater number of and more complex services to be efficiently handled. The transaction steps are determined by input information that relates to services desired by a caller, wherein the input information is identified in the computer system in the form of transaction references that are to be carried out in order to provide desired output information in response to the caller-desired services.

The Larsson reference does not teach or suggest any interconnection or interaction between computers. And it does not teach or suggest the step in claim 1 of initiating fetching of transactions in response to a telephone call that includes an information part coming to a first computer system, and transmitting the information part from a first computer system to a second computer system. Additionally, it also does not disclose or suggest the claimed execution of the transactions in one or more of first and second computer systems based upon a transaction reference that is associated with the identity of the caller and the type of call received by the first computer system. And, significantly, it also does not teach or suggest the claimed step of transferring a communications service to be executed and the information part to a computer system other than the call receiving computer system when transaction references identify predetermined transactions.

The Johnson reference was relied upon as disclosing transactions that take place between a plurality of machines. However, that reference teaches the

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transmission between computers of entire programs to be executed (see Johnson, col. 1, lines 39-41, lines 62-63, and lines 65-67; col. 3, lines 14-16, lines 27-30, and lines 34-35), not transaction references that are used to execute transactions. In the invention as claimed in claim 1, each of the computers is connected to a respective communications database that includes communications services transactions that are stored as transaction references. There is thus no transfer of programs between computers as is distinctly taught by the Johnson reference.

The Johnson reference also does not teach or suggest the claimed step involving execution of transactions in one or more of the computer systems based upon a transaction reference that is associated with the identity of the caller and the type of call that is received. Indeed, the term "transaction reference," which is referred to in the present application as identifying transactions (see paragraph [0005], last sentence) is not found within the Johnson reference. And because transaction references contain small amounts of data, not the considerable amount of data contained in a program, in the claimed invention the execution of a communications service can be more quickly effected than in the Johnson arrangement.

Because neither the Larsson nor the Johnson reference teaches or suggests computers connected to respective communications databases that include transactions stored as transaction references, because neither reference teaches or suggests transaction references, because neither reference teaches or suggests execution of transactions in a computer based upon both the identity of the caller and the type of call received, and because neither reference teaches or suggests

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transferring a communications service and an information part to a computer system other than the call receiving computer system when transaction references identify predetermined transactions, even if those references were to be combined in some way that is neither taught nor suggested in either of the references, any such combination would not teach or suggest the invention as it is claimed in claim 1.

Additionally, even assuming one of only ordinary skill in the art, one who is guided by the conventional wisdom and is not an innovator, had before him the references relied upon, it is important to note that the references themselves do not contain any guidance as to precisely how they could be combined to arrive at the invention as claimed. In that regard, it is not apparent from the references taken alone which elements and which steps of which reference are to be combined with which elements and which steps of the other reference, and which elements and which steps are to be ignored or discarded in arriving at a combination of elements or of steps.

In short, the references do not contain any teachings or suggestions concerning how they could or should be combined, assuming one even wished to attempt to do so. Accordingly, the only motivation for combining the references in the manner the examiner has done is the disclosure of the present application. But it is an improper basis for rejection to use as a road map or as a template an inventor's disclosure to aid in picking and choosing particular parts of particular references that allegedly can be combined to render obvious that which only the inventor has taught. It amounts to using against an inventor that which only he has taught.

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Claims 2, 3, 5, 6, and 7 also recite either transaction references or references to transactions, and therefore those claims are also not obvious from any combination of the references that were relied upon. Moreover, each of claims 2 through 7 depends from claim 1, either directly or indirectly, and therefore each of those dependent claims also recites a method that is not obvious from the combination of the Larsson and Johnson references, and for the same reasons as are given above in connection with independent claim 1.

Based upon the foregoing amendments and remarks, the claims as they stand in the application are believed clearly to be in allowable form in that they patentably distinguish over the disclosures contained in the references that were cited and relied upon by the examiner, whether those references be considered alone or in combination. Consequently, this application is believed to be in condition for allowance, and reconsideration and reexamination of the application is respectfully requested with a view toward the issuance of an early Notice of Allowance.

The examiner is cordially invited to telephone the undersigned attorney if this amendment raises any questions, so that any such question can be quickly resolved in order that the present application can proceed toward allowance.

Respectfully submitted,

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